

REMARKS

By this Amendment, claims 1, 4, 7-11 and 14-16 are amended to merely clarify the recited subject matter and to overcome the objections and claims 17-26 are added to more claim the disclosed invention. Claims 1-26 are pending.

Although claim 3 was deemed to include allowable subject matter, claims 1-2, 5-6, 10-12 and 15-16 were rejected under 35 U.S.C. 102(e) as being anticipated by Irvin et al. (U.S. 6,381,713; hereafter “Irvin”), claims 4 and 13 were rejected under 35 U.S.C. 103(a) as being obvious from Irvin and Ojard et al. (U.S. 6,266,350; hereafter “Ojard”), claims 7 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin and Shin (U.S. 6,738,634; hereafter “Shin”), claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin, Ojard and Shin, and claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin and Svanbro et al. (U.S. 6,967,964; hereafter “Svanbro”).

Applicants traverse the prior art rejections because the cited prior art fails to disclose, teach or suggest all the features recited in the rejected claims. For example, the cited prior art references fail to disclose, teach or suggest the claimed method, system or apparatus wherein conditions that apply for the processing of the first part and the second part of a received packet in an error situation are selected during connection set-up.

Irvin merely discloses a method for processing a received packet based on location of an error in the packet, wherein characteristics are associated with different fields of the packet. When an error is detected in a field of the packet, a characteristic of the field is checked. If a critical field is flawed, the packet is rejected; however, if a correctable field is flawed, an error correction method is applied and the packet is used.

However, in Irvin, there are no steps or means specifying selection of applied conditions for error handling. Rather, Irvin merely teaches handling of a received packet (see, col. 7, lines 1-35). Further, Irvin, at col. 6, lines 20-67, actually discloses only how an erroneous packet is handled based on characteristics of an erroneous field, and lists those characteristics. However, there is no teaching or suggestion of selecting applied conditions for error handling during connection set-up. Thus, Irvin merely applies to pre-determined conditions, i.e., by applying the procedure illustrated in Figures 4, 5, 6 or 7 in the receiving device. Thus, Irvin also fails to teach or suggest using such conditions selected during connection set-up for erroneous packets.

Moreover, one of ordinary skill in the art would not have been motivated to alter the specified operation of Irvin to use conditions selected during connection set-up for erroneous packets based on the other cited prior art references for the reasons below.

Ojard fails to remedy the deficiencies of Irvin because Ojard merely teaches a network interface for receiving packet data from a shared medium and accomplishes the signal processing required to convert the data packet to host computer formatted data separately from receiving the data packet. The network interface receives the data packet, converts the analog signal to a digitized signal, and stores the resulting sample packet in a storage queue. An off-line processor, which may be the host computer itself, performs the signal processing required to interpret the sample packet. However, Ojard fails to teach or suggest selection during connection set-up conditions that apply for processing of a first part and a second part of a packet in an error situation. Thus, the combined teachings of Irvin and Ojard fail to teach or suggest all the features recited in the rejected claims.

Similarly, Shin fails to remedy the deficiencies of Irvin and Ojard because Shin merely teaches generally on the subject of protocols between a mobile terminal and a radio access network, including a radio resource control protocol; however, Shin fails to teach or suggest selection during connection set-up conditions that apply for processing of a first part and a second part of a packet in an error situation. Thus, the combined teachings of Irvin, Ojard and Shin fail to teach or suggest all the features recited in the rejected claims.

Further, Svanbro fails to remedy the deficiencies of the other cited prior art references because Svanbro merely teaches a telecommunications network that has first and second entities which communicate by sending a packet having a compressed header. A header compression key is associated with (e.g., included in) the packet. The header compression key has a first field which, in a first mode of the invention, is utilized exclusively for distinguishing between different flows of compressed packets. In a second mode of the invention, the first field of the header compression key can be utilized either for distinguishing between the different flows of compressed packets or for distinguishing between different header compression identifiers. However, Svanbro fails to teach or suggest selection during connection set-up conditions that apply for processing of a first part and a second part of a packet in an error situation. Thus, the combined teachings of the cited prior art references fails to teach or suggest all the features recited in the rejected claims.

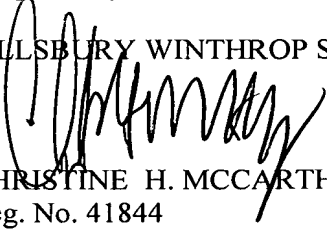
In view of the above remarks, it is respectfully submitted that all of the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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